

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

CONSUELO GONZALEZ

Plaintiff,

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CASE NO. 2:19-CV-222

vs.

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**CHRISTINE WORMUTH,
Secretary, Department of the Army,
Defendant.**

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**PLAINTIFF'S SUPPLEMENTAL MOTION
FOR REASONABLE FEES AND COSTS**

Plaintiff files this supplemental motion to request compensation totaling \$4,417.50 for 9.30 hours spent replying in support of her original motion. (Docs. 96 and 103.) *Cruz v. Hauck*, 762 F.2d 1230, 1233-34 (5th Cir. 1985) (“It is settled that a prevailing plaintiff is entitled to attorney’s fees for the effort entailed in litigating a fee claim and securing compensation... As any prudent and reasonable attorney would do in this situation, Plaintiffs’ attorneys replied to the Defendants’ objections [to their motion for fees]. The time spent so replying is compensable”).

The time entries are detailed in the chart below, and are verified by the timekeeping attorney. Plaintiff requests compensation for this time at the same hourly rate requested in her original motion, and incorporates by reference the arguments and evidence adduced in support of that rate in her original motion and reply in support of her original motion.

Date	Time-keeper	Description	Rate	Time
3/4/23	REM	Review defendant’s opposition (Doc. 100), and begin drafting reply (Doc. 103).	\$475	3.20
3/7/23	REM	Finish drafting reply (Doc. 103) (5.40); forward to KWheeler and DWherry for review (NC).	\$475	5.40

3/9/23	REM	Review comments from KWheeler and DWherry (NC); brief phone call with DWherry re same (NC); final review and edits (0.70); exchange emails with opposing counsel re conferral and then note LDuke's response in the certificate of conferral (NC).	\$475	0.70
				9.30
		9.30 x \$475 = \$4,417.50		

Plaintiff also requests postjudgment interest on the award of \$4,17.50 from the date of the filing of this motion. Ordinarily, postjudgment interest runs from the date of judgment (*see* Doc. 96 at 14-15). But since the fees and costs requested in this motion accrued after the date of judgment, it appears reasonable to apply interest from the date of this motion.

Respectfully submitted,

/s/ Deontae Wherry
 Deontae Wherry
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 S.D. Texas Bar No. 3327023

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/s/ Robert E. McKnight, Jr.

Robert E. McKnight, Jr.
Texas Bar No. 24051839

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Verification

The hours shown above as having been expended by me (i.e., those rows with “REM” in the timekeeper column) were actually expended by me on the topics stated in the description column, and the hours in the time column and the requested rate (\$475/hour) were reasonable.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 9, 2023

/s/ Robert E. McKnight, Jr.

Robert E. McKnight, Jr.

Certificate of Conference

I certify that I have today, 3/9/23, conferred by email with counsel for the defendant on the relief requested in this motion, and that the defendant opposes the relief.

/s/ Robert E. McKnight, Jr.

Robert E. McKnight, Jr.

CERTIFICATE OF SERVICE

I certify that on March 13, 2023, this document was served pursuant to Federal Rules of Civil Procedure on counsel for Defendant at the following email addresses:

Lance Duke via email at lance.duke@usdoj.gov and
Lander Baiamonte via email at lander.baiamonte@usdoj.gov

/s/ Robert E. McKnight, Jr.

Robert E. McKnight, Jr.